

**STATE OF HAWAII**  
**DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM**  
**FOREIGN-TRADE ZONE**

**CONSULTANT SUPPORT SERVICES RELATED TO  
FOREIGN-TRADE ZONES BOARD APPLICATIONS, FEDERAL  
REGULATIONS, AND ADMINISTRATIVE PROCEDURES**

**SOLICITATION No. RFP-04-07-FTZ**

Sealed proposals will be received up to and opened at 12:00 p.m.

on November 25, 2003

in the Administrative Services Office/Contracts  
No. 1 Capitol District, 250 S. Hotel St., 5th Floor, Room 510-D  
Honolulu, Hawaii, 96813.

Questions relating to this request for proposal may be directed to  
Ms. Eileen Harada, Telephone 808-586-9312.

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# **REQUEST FOR PROPOSALS**

The Department of Business, Economic Development, and Tourism  
FOREIGN-TRADE ZONE DIVISION

## **CONSULTANT SUPPORT SERVICES RELATED TO FOREIGN-TRADE ZONES BOARD APPLICATIONS, FEDERAL REGULATIONS, AND ADMINISTRATIVE PROCEDURES**

Solicitation No. RFP-04-07-FTZ

Pursuant to the Hawaii Public Procurement Code, Chapter 103D, Hawaii Revised Statutes, the State Department of Business, Economic Development, and Tourism (DBEDT) Foreign-Trade Zone (FTZ) Division is soliciting proposals for consultant services to assist the FTZ No. 9 with federal FTZ Board applications, requirements for critical filing dates for federal reports and documents, operations procedures, U.S. Customs audits, and FTZ expansion-related activities.

### Project Description:

FTZ seeks to obtain consultant services to assist the Foreign-Trade Zone No. 9 with federal FTZ Board applications, requirements for critical filing dates for federal reports and documents, operations procedures, U.S. Customs audits, and FTZ expansion-related activities.

### Requirements:

All written questions must be submitted to the DBEDT/Administrative Services Office/Contracts by 4:00 p.m., Hawaii Standard Time (HST) on November 5, 2003

**A non-mandatory pre-bid conference is scheduled for 9:00 A.M., HST, Friday, October 31, 2003 to be held in the second floor conference room at FTZ No. 9, 521 Ala Moana Blvd., Pier 2, Honolulu, Hawaii. Attendance is not mandatory but potential offerors are encouraged to attend. All costs incurred by the attendee at this conference shall be borne by the attendee.**

Proposals shall be received up to 12:00 p.m. HST on Tuesday, November 25, 2003 in the Administrative Services Office/Contracts, DBEDT, State of Hawaii, No. 1 Capitol District, 5<sup>th</sup> Floor, Room 510-D, 250 South Hotel Street, Honolulu, Hawaii, 96813. Proposal documents may be obtained from said office between the hours of 8:00 a.m. to Noon and 1:30 p.m. to 4:00 p.m., Monday through Friday, except for STATE holidays. All interested parties must register with said office at the time a proposal document is requested.

All proposals must comply with DBEDT General Terms and Conditions dated April 15, 1996. Offerors are encouraged to carefully read the entire proposal documents. Proposals must be submitted on DBEDT proposal forms.

Eileen Harada for  
Theodore E. Liu, Director  
Department of Business, Economic Development, and  
Tourism, State of Hawaii

**CAUTION!!!!**

- 1. ALL PROPOSALS MUST BE SUBMITTED ON DBEDT PROPOSAL FORMS AND FOLLOW PROPOSAL REQUIREMENTS INCLUDING PROVIDING THE ORIGINAL SIGNED IN BLUE INK.**
- 2. ALL WRITTEN QUESTIONS MUST BE SUBMITTED TO THE DBEDT/ADMINISTRATIVE SERVICES OFFICE/CONTRACTS BY 4:00 P.M., HAWAII STANDARD TIME (HST) ON NOVEMBER 5, 2003.**
- 3. THE DBEDT ADMINISTRATIVE SERVICES/CONTRACTS OFFICE MUST RECEIVE ALL PROPOSALS NO LATER THAN 12:00 P.M., HST, TUESDAY, NOVEMBER 25, 2003.**
- 4. OFFERORS ARE CAUTIONED THAT FEDERAL EXPRESS AND UNITED PARCEL SERVICE DELIVERIES ARE GUARANTEED UP TO 5:00 P.M. OF THE DESIGNATED DELIVERY DATE. OFFERORS ARE CAUTIONED TO MAKE PRIOR ARRANGEMENTS TO ENSURE DELIVERY BY 12:00 P.M., ON THE PROPOSAL DUE DATE.**

Proposal and registration forms are available at the  
Department of Business, Economic Development, and Tourism  
Administrative Services Office / Contracts  
No. 1 Capitol District  
250 So. Hotel Street, 5<sup>th</sup> Floor, Room 510-D  
Honolulu, Hawaii 96813  
Contact person: Eileen Harada  
808-586-9312

**STATE OF HAWAII**  
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**SOLICITATION NO. RFP-04-07-FTZ**

**INTRODUCTION, SIGNIFICANT DATES, AND**  
**OFFICIAL CONTACT PERSON**

## **INTRODUCTION, SIGNIFICANT DATES AND OFFICIAL CONTACT PERSON**

### **A. INTRODUCTION**

The Department of Business, Economic Development, and Tourism (DBEDT), Foreign-Trade Zone (FTZ) Division, also referred to as the STATE in this solicitation seeks to obtain services to assist the FTZ No. 9 with federal Foreign-Trade Zones Board applications, requirements for critical filing dates for federal reports and documents, operations procedures, U.S. Customs audits, and Zone expansion-related activities.

### **B. SIGNIFICANT DATES**

Advertisement .....	October 19, 2003
Issuance of Request for Proposal .....	October 20, 2003
Non-Mandatory Conference, Friday, 9:00 A.M., HST .....	October 31, 2003
Deadline for Offeror's Written Questions, 4:00 p.m. ....	November 5, 2003
Response to Offeror's Questions and Addenda Deadline .....	November 10, 2003
Sealed Proposal Due, 12:00 P.M., HST, Tuesday .....	November 25, 2003

### **C. PRE-BID CONFERENCE**

**A non-mandatory pre-bid conference is scheduled for 9:00 A.M., HST, Friday, October 31, 2003 to be held in the 2<sup>nd</sup> floor conference room of FTZ No. 9, 521 Ala Moana Blvd., Pier 2, Honolulu, Hawaii. Attendance is not mandatory but potential offerors are encouraged to attend. All costs incurred by the attendee at this conference shall be borne by the attendee.**

### **D. OFFICIAL CONTACT PERSON**

The official contact person for all communication regarding the RFP is:

Eileen Harada  
Department of Business, Economic Development, and Tourism  
Administrative Services Office/Contracts  
No. 1 Capitol District  
250 S. Hotel Street, 5th Floor, Room 510-D  
Honolulu, Hawaii 96813  
Telephone: (808) 586-9312

Official responses to questions shall be made through written addenda issued to all prospective offerors. Offerors' attention is directed to the deadlines for questions and addenda stated above.

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**STATEMENT OF WORK**

## **STATEMENT OF WORK**

### **A. BACKGROUND**

The Foreign Trade Zone (FTZ) Division of the Department of Business, Economic Development & Tourism is located at Pier 2. It administers the federal grant issued to the State of Hawaii in 1965 by the Foreign-Trade Zones Board in Washington, D.C. In 2002, 303 companies used the FTZ program, handling 226 types of merchandise from 31 countries. The total value of merchandise handled during 2002 reached \$3,085,804,535.

The Pier 2 facility is designed to be an incubation-type, common-use facility used primarily for distribution, storage, and transshipment activities. The 17-acre site has 300,452 square feet of covered space including 14,451 square feet of office and exhibit space. Revenue generated from use of this facility supports the statewide marketing and administration of the FTZ program in Hawaii. Foreign-Trade Zone No. 9 is headquartered at this site. FTZ Board Order 188 established this site in 1982.

Firms take advantage of the FTZ program in this incubation-type facility and benefit by being able to share common warehousing costs. The public is charged for use of this facility on a per-unit or per-use basis. Specialized services are available to allow manipulation and value-added activities. Immediately adjacent to the warehouse area, Zone users may lease office and exhibit space as well as make use of office equipment. A conference room is also available for use at a nominal charge to members of the maritime community.

An information system supports the warehouse activities at Pier 2. Zone users are able to view their inventory levels, create preliminary receiving and delivery tags, code zone lots with item codes, print price lists, and perform other transactions that involve their stored merchandise.

### **B. OBJECTIVES**

Major objectives for the FTZ program are as follows:

- Promote the FTZ program on a statewide basis, making the program available to as many qualifying firms as possible;
- Operate the FTZ public warehouse facility at Pier 2; provide office, exhibit, warehouse, and industrial space to qualified businesses;
- Provide information to local, national, and international firms to explain the advantages of doing business in Hawaii under the auspices of the FTZ program;



- Partner with private and public sector entities to encourage greater participation in the FTZ program and thereby attract new economic activity to Hawaii;
- Implement appropriate information technology to reduce the transaction costs of complying with federal regulations;
- Plan for the expansion of services and facilities to meet the need of businesses that qualify for FTZ utilization; and
- Continue to operate the program in a self-sustaining manner without use of State general funds.

### **C. SCOPE OF WORK**

The CONTRACTOR shall provide the following services:

1. Research and develop a plan to modify Section 309(a)(3) of the Tariff Act of 1930. Attached as Exhibit B is a copy of that Section of the Tariff Act of 1930.
2. Research federal and other pertinent documents to ensure FTZ compliance with United States (U.S.) Customs' rules and regulations.
3. Develop a program for use by FTZ Board applicants seeking FTZ status that shall enable said applicants to submit a complete and informational application.
4. Prepare procedures for activating temporary Foreign-Trade Zone sites such as the Hawaii Convention Center. Temporary sites would be required when bonded goods are brought into a site for a temporary event such as trade shows.
5. Provide training to FTZ staff on FTZ procedures and methods.
6. Develop a marketing program to attract potential attendees from the Mainland for the 2005 National Association Conference Foreign-Trade Zones (NAFTZ) to be held in Honolulu, Hawaii.
7. Meet with FTZ staff on a weekly basis to discuss status of projects.
8. Submit monthly written reports for FTZ approval to include, but not be limited to, activities undertaken, problems encountered, methods and success of addressing said problems, recommendations for future projects, and expenditures incurred.
9. Provide other written reports as required by the FTZ to include, but not be limited to, a final report. The final report shall include, but not be limited to, the activities completed under the Agreement, problems encountered, methods and success of addressing said problems, recommendations for future projects, and expenditures incurred.

#### D. TIME SCHEDULE

1. All services shall be for twelve (12) months and shall begin on or about January 2, 2004 and shall be completed by December 31, 2004. Services may be extended a maximum of six (6) months pending FTZ approval and the execution of a supplemental agreement(s) by both parties. In no case shall the Agreement be extended if no funds are available from the primary Agreement.

#### E. COMPENSATION

1. Award shall be made on a firm, fixed fee. Notwithstanding that the offeror shall submit a budget with his or her proposal with an hourly rate and a total not to exceed amount for twelve (12) months for services to be rendered under this solicitation.
2. An allowance of SIX THOUSAND AND NO/100 DOLLARS (\$6,000.00) will be provided to reimburse the CONTRACTOR for travel expenses associated with delivery of these services to the islands of Hawaii, Maui, and Kauai and the U.S. mainland and may include air and land transportation, and subsistence at State per diem rate. **This amount shall not be included in the offeror's proposal amount but shall be added to the Contract total compensation amount.** The State travel form shall be submitted along with the appropriate receipts for these expenses. The CONTRACTOR shall submit travel requests prior to travel, which must be approved by the STATE. The \$6,000 for travel is a maximum amount that may be used by the awardee of the contract. If that amount is not used, it will be returned to the STATE. The \$6,000 is separate from the offeror's budget and should not be included in the proposal's budget submitted by the offeror.
3. Payment to the CONTRACTOR shall be made only upon presentation of an invoice submitted by the CONTRACTOR and in accordance with predetermined progress payments contingent on STATE's approval of specified deliverables. Invoice shall be submitted within twenty (20) working days following the month in which the services were provided.
4. Proposals shall be priced and shall include a budget in accordance with this section and the section entitled "Proposal Requirements."
5. The CONTRACTOR shall be required to obtain a current tax clearance from the State of Hawaii Department of Taxation and the Internal Revenue Service prior to entering into a contract with the STATE and again to receive final payment.

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SOLICITATION No. RFP-04-07-FTZ

**EVALUATION CRITERIA**

## EVALUATION CRITERIA

### CONSULTANT SUPPORT SERVICES RELATED TO FOREIGN-TRADE ZONE BOARD APPLICATIONS, FEDERAL REGULATIONS, AND ADMINISTRATIVE PROCEDURES

#### A. MINIMUM CRITERIA FOR PROPOSAL RESPONSIVENESS

1. Unfavorable references may be justification for rejection of a proposal. The STATE reserves the right to use whatever resources are available to the STATE to seek additional references in addition to those submitted in the proposal.
2. Submitting incomplete proposal documents or failure to sign the proposal documents may be justification for rejection of a proposal.
3. Failure to respond or comply with the specifications provided in the Solicitation or the requirements provided by statutes or law may be justification for rejection of a proposal.

#### B. PROPOSAL EVALUATION CRITERIA

An evaluation committee shall be appointed by the Director. The committee shall evaluate responsive proposals in accordance with the section entitled "Proposal Requirements" and based on the following general criteria:

<u>Criteria</u>	<u>Total Possible Points</u>
1. Qualifications/Experience	
a. Related experience	60
b. Overall capability to perform such work	35
c. Experience filing applications with FTZ Board	15
2. References	
a. Related projects	25
b. Overall capability and reliability	25
3. Price	
a. Reasonableness of proposed budget	20
b. Price ranking adjusted by preferences	<u>10</u>
<b>TOTAL POSSIBLE:</b>	<b>200 POINTS</b>

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**SPECIAL PROVISIONS**

## **SPECIAL PROVISIONS**

### **A. PREFERENCES**

The following preferences shall apply to this solicitation. The evaluated price shall be based on application of these preferences in the order specified below:

1. In-State Contractor. Preference shall be given to offerors within the State of Hawaii. Whenever an offeror selects and qualifies for an in-state contractor preference, all prices from offerors who do not select or qualify under the in-state contractor preference shall be increased by 5 percent for evaluation purposes. Offerors claiming this preference shall submit a tax clearance certified from the State of Hawaii, Department of Taxation with their proposal and must indicate a State of Hawaii business address.
2. Tax adjustment for out-of-state and tax exempt bidders. Where the offeror is an out-of-state vendor not doing business in the State or is a person exempted from paying the applicable general excise tax, the proposal price, for the purpose of determining the lowest price offer, shall be increased by the applicable retail rate of general excise tax and the applicable use tax.
3. Reciprocal Preference. Resident offerors of the State of Hawaii may be given a reciprocal preference equal to the preference that an out-of-state offeror would be given in their own state. If the out-of-state offeror's state has a preference comparable to a Hawaii preference, the reciprocal preference shall be equal to the amount the out-of-state preference exceeds the Hawaii preference.

### **B. PROPOSALS MUST BE PRICED.**

### **C. TAX CLEARANCE**

The Awardee(s) shall be required to obtain a current tax clearance from the State of Hawaii Department of Taxation and the Internal Revenue Service prior to entering into a contract with the State and again to receive final payment. The tax clearance is not required for submittal of a proposal but any offeror applying for the 5% in-State preference shall be required to submit a tax clearance with its proposal. This tax clearance may be no more than ninety days old from the date of submittal of the proposal.

It is recommended that the "Tax Clearance Application," attached, be mailed to a DOTAX district office as soon as possible, as the process may take 21 calendar days before you receive a tax clearance. We also recommend that extra certified copies be requested, if responding to several competitive solicitations. Extra certified copies may be requested by writing or typing the number of copies next to the check box 3.c. on the application form. Offerors who repeatedly submit bids or proposals for State or County contracts should file frequently for a tax clearance.

**D. BONDS**

**Bid, performance, and payment bonds are not required for this solicitation.**

**E. AWARD**

The successful offeror shall be awarded an “Agreement for Goods or Services Based upon Competitive Sealed Proposals” contract.

**F. GENERAL TERMS AND CONDITIONS NOT APPLICABLE**

Sections 2.9 and 2.12 of the general terms and conditions which apply specifically to the invitation to bid method of selection are not applicable to this solicitation.

**G. PROPRIETARY INFORMATION**

Any information deemed proprietary in nature should be clearly marked “proprietary” by the offeror. Failure to designate proprietary information will subject the offeror’s proposal to full disclosure and public inspection.

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## **PROPOSAL REQUIREMENTS**



## **PROPOSAL REQUIREMENTS**

### **A. SUBMISSION REQUIREMENTS**

1. The Original plus 5 copies (total – 6 copies) of the proposal shall be submitted in a sealed envelope to:

DBEDT, State of Hawaii  
Administrative Services Office/Contracts  
No. 1 Capitol District  
250 South Hotel Street, 5th Floor, Room 510-D  
Honolulu, HI 96813

**THE ORIGINAL PROPOSAL MUST BE SUBMITTED WITH THE ORIGINAL SIGNATURE SIGNED USING BLUE INK BY AN OFFICER OF THE COMPANY AUTHORIZED TO SIGN SUCH DOCUMENTS.**

2. The original proposal shall be clearly marked “original” on the upper right hand corner of the cover page.
3. "Solicitation No. “RFP-04-07-FTZ” shall be referenced on the outside of the sealed proposals. Facsimiles shall not be accepted.
4. **The Administrative Services Office/Contracts must receive sealed proposals no later than 12:00 p.m., HST, Tuesday, November 25, 2003. Proposals shall be timed-stamped with the Administrative Services Office/Contracts time clock upon receipt. Late proposals shall not be accepted. The Administrative Services Office/Contracts’ time clock shall serve as the official time.**
5. Offerors are cautioned that Federal Express and United Parcel Service deliveries are guaranteed up to 5:00 p.m. of the designated delivery date. Offerors are cautioned to make prior arrangements to ensure delivery by 12:00 p.m. of the proposal due date.
6. Offerors are to complete and submit the section entitled "Proposal."

### **B. OFFEROR’S COVENANTS AND QUALIFICATIONS**

1. Proposals shall include completed proposal pages in the section entitled "Proposal." Remove, complete, and submit the appropriate number of copies of the entire section entitled, “Proposal.”
2. The proposal must be signed by an authorized representative and a corporate resolution or evidence of authorization to bind must be attached.

3. **PLEASE NOTE: The name of your organization must match the name which is either legally registered with the Hawaii Department of Commerce and Consumer Affairs (DCCA) for Hawaii corporations, partnerships, or tradenames; or the Department of Taxation for sole proprietors who do not have registered tradenames with the DCCA. An out-of-state organization must be legally registered with its appropriate state.**

## **C. PROJECT PROPOSAL**

The project proposal shall include, but not be limited to:

1. Scope of Work.
  - a. A detailed plan to effectively carry out the tasks described in the "Statement of Work," paragraph C, "Scope of Work," pages S-3.
2. Time Schedule.
  - a. All services shall be for twelve (12) months and shall begin on or about January 2, 2004 and shall be completed by December 31, 2004. Services may be extended a maximum of six (6) months pending FTZ approval and the execution of a supplemental agreement(s) by both parties. In no case shall the Agreement be extended if no funds are available from the Primary Agreement.
3. Compensation.
  - a. **Award shall be made on a firm, fixed fee. Notwithstanding that the offeror shall submit a budget with his or her proposal with an hourly rate and a total not to exceed amount for twelve (12) months for services to be rendered under this solicitation.**
  - b. An allowance of SIX THOUSAND AND NO/100 DOLLARS (\$6,000.00) will be provided to reimburse the CONTRACTOR for travel expense associated with delivery of these services to the islands of Hawaii, Maui, and Kauai and the U.S. mainland and may include air and land transportation, and subsistence at State per diem rate. **This amount shall not be included in the offeror's proposal amount but shall be added to the Contract total compensation amount.** The State travel form shall be submitted along with the appropriate receipts for these expenses. The CONTRACTOR shall submit travel requests prior to travel, which must be approved by the STATE. The \$6,000 for travel is a maximum amount that may be used by the awardee of the contract. If that amount is not used, it will be returned to the STATE. The \$6,000 is separate from the offeror's budget and should not be included in the proposal's budget submitted by the offeror.

- c. Payment to the CONTRACTOR shall be made only upon presentation of an invoice submitted by the CONTRACTOR. Invoice shall be submitted within twenty (20) working days following the month in which the services were provided.
- d. The proposal shall be priced and shall include a budget for all tasks proposed.
- e. The proposed price shall be based on a firm fixed fee.
- f. The CONTRACTOR shall be required to obtain a current tax clearance from the State of Hawaii, Department of Taxation and the Internal Revenue Service prior to entering into a contract with the STATE and again to receive final payment. Offerors are encouraged to immediately apply for a tax clearance, and if possible, to submit their tax clearance with their proposal. A tax clearance application is attached. See paragraph C, "Tax Clearance" of the Special Provisions for more detailed information.

**4. Budget.**

**The offeror should submit a line item budget reflecting the different work tasks described in paragraph C, "Scope of Work," under the section "Statement of Work." A budget amount should be attached to each of the work tasks. Although each task may reflect an estimated amount, the total amount shall be a firm fixed amount. The final contract shall allow funds to be reallocated between budget categories but not allow an increase to the total amount. For example, if you are the contract awardee and your budget proposal listed \$5,000 for task 1 and \$4,000 for task 2, but the actual work for Task 1 required only \$4,500 in compensation and Task 2 also required \$4,500, you would be allowed to reallocate monies from Task 1 to Task 2 by providing an updated budget. Again, the total budget amount would remain the same. Please note that reallocation of funds between budget categories that exceed ten per cent of the total fixed budget amount will require written supplemental agreements executed by both parties.**

**Please note that while an estimated amount of funds are budgeted for this project, there is not a specific budgeted amount for this solicitation.**

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**PROPOSAL**

*Offerors are to complete and submit this section for their proposals.*

## **PROPOSAL**

### **CONSULTANT SUPPORT SERVICES RELATED TO FOREIGN-TRADE ZONES BOARD APPLICATIONS, FEDERAL REGULATIONS, AND ADMINISTRATIVE PROCEDURES**

#### **SOLICITATION No. RFP-04-07-FTZ**

Department of Business, Economic Development and Tourism  
Administrative Services Office/Contracts  
No. 1 Capitol District, 5th Floor, Room 510-D  
250 South Hotel Street  
Honolulu, HI 96813

The undersigned has carefully read and understands the terms, conditions and requirements specified in the Request for Proposal attached hereto and hereby submits the following proposal to perform the work specified herein, all in accordance with the true intent and meaning thereof.

The undersigned further understands and agrees to the following:

- That by submitting this proposal, the undersigned is declaring that this proposal is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts;
- That by submitting this proposal, the undersigned is declaring that the proposal is being made without collusion with any other person, firm or corporation;
- That the Director of the Department of Business, Economic Development, and Tourism reserves the right to cancel the Request for Proposal at any time and all proposals may be rejected in whole or in part when it is in the best interest of the State;
- That discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award, but a proposal may be accepted without such discussions;
- That the undersigned may be required to submit best and final offers based on discussion;
- That award, if any, will be made on a firm fixed fee basis to the responsive and responsible offeror who has submitted the most advantageous offer in accordance with the evaluation criteria set forth in this Request for Proposal;

- That by submitting this proposal, the undersigned is declaring that if awarded a contract, the undersigned will comply with all requirements for wages, hours and working conditions in accordance with Section 103-55, Hawaii Revised Statutes; and
- That if awarded a contract, the undersigned hereby commits to a minimum of two consultation sessions with the STATE.

The undersigned acknowledges receipt of any addendum issued by the Department of Business, Economic Development, and Tourism by recording in the space below the date of receipt:

Addendum No. 1 \_\_\_\_\_ Addendum No. 2 \_\_\_\_\_

Addendum No. 3 \_\_\_\_\_ Addendum No. 4 \_\_\_\_\_

**Should any addenda be issued for this solicitation, the offeror must check off the line next to the respective Addendum No. issued. The signature and other related information lines on page P-3 must be completed whether or not any addenda are issued.**

The undersigned hereby certifies that the proposal hereby attached has been carefully checked and is submitted as correct.

Respectfully submitted,

\_\_\_\_\_  
Exact Legal Name of Offeror (company name)

\_\_\_\_\_  
Authorized signature (attach corporate resolution or evidence of authorization to bind)

Title \_\_\_\_\_

Date \_\_\_\_\_

Street Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone No. \_\_\_\_\_

Mailing address (if different  
from street address) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

State of Hawaii General Excise Tax (GET) License Number: \_\_\_\_\_

Federal Taxpayer Identification Number: \_\_\_\_\_

Type of Organization: \_\_\_\_\_ Individual \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation \_\_\_\_\_ Joint Venture

If offeror is a "dba" or a division of a corporation, furnish the exact legal name of the corporation under which the contract, if awarded, will be executed: \_\_\_\_\_  
\_\_\_\_\_

State of Incorporation: ☐ Hawaii Other: \_\_\_\_\_

### **PREFERENCES:**

The following preferences apply to this solicitation. A detailed discussion of each preference is included in the section entitled, "Special Provisions." Indicate which preferences apply.

1. In-state contractor preference: yes \_\_\_\_\_ no \_\_\_\_\_

If yes, indicate State of Hawaii business street address: \_\_\_\_\_  
\_\_\_\_\_

If yes, attach current (issued within 90 days of bid submittal) tax clearance from the State of Hawaii Department of Taxation. (Note: The offeror may wish to also obtain tax clearance from the Internal Revenue Service at the same time in order to fulfill this requirement if awarded a contract)

2. Tax Adjustments:

Are you an out-of-state business? yes \_\_\_\_\_ no \_\_\_\_\_

Is your organization tax exempt? yes \_\_\_\_\_ no \_\_\_\_\_

3. Reciprocal Preferences:

List your principal place of business:

\_\_\_\_\_  
Street address, City, State, Zip Code

4. Are you registered with the State of Hawaii, Department of Commerce and Consumer Affairs to do business in the State of Hawaii? yes \_\_\_\_\_ no \_\_\_\_\_

## QUALIFICATION QUESTIONNAIRE

1. How many years has your organization been in business under your present business name?  
\_\_\_\_\_
2. How many years experience in this field of work has your organization had? \_\_\_\_\_
3. Show what projects your organization has completed in the past five (5) years that are related to this project:

Name and Address of Project Owner	Description	Contract Amount	Completion Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Any related experience is acceptable. The offeror should indicate the experience from its current organization and separately note any other experience. Other experience may be noted on the response lines to paragraph 3 or the offeror may attach a separate sheet(s) describing that experience.**

4. Have you ever failed to complete any work awarded to you? \_\_\_\_\_  
If so, when, where and why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Has any officer or partner of your organization in the past five (5) years been an officer, partner, or individual of some other organization that failed to complete a contract? \_\_\_\_\_  
If so, state name of individual, other organization and reason therefore: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. For what counties within the State of Hawaii have you performed work and to whom do you refer?

Agency	Project Description	Contact Person	Phone
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



7. For what departments of the State of Hawaii have you performed work and to whom do you refer?

Department	Project Description	Contact Person	Phone

8. Have you performed work for the U.S. Government? \_\_\_\_\_  
If so, list and to whom do you refer?

Agency	Project Description	Contact Person	Phone

9. Have you ever performed any work for any other governmental agencies outside the State of Hawaii? \_\_\_\_\_  
If so, list and to whom do you refer?

Agency	Project Description	Contact Person	Phone

10. List a minimum of three references for work performed similar to this project.

Company	Project Description	Contact Person	Phone

11. What is the professional or project experience of the principal individuals being assigned to this project?

Individual's Name	Position or Title	Years Experience	Type of Work

## **CORPORATE RESOLUTION**

Attach here:

1. Corporate resolution or written authorization of offeror's representative to sign this proposal here.

## **TAX CLEARANCE**

Attach tax clearance from the State of Hawaii, Department of Taxation in order to receive an In-State contract preference.

**NOTE: A tax clearance from the State of Hawaii, Department of Taxation and the U.S. Internal Revenue Service is required prior to entering into a contract with the State. In the interest of time, contractors are encouraged to secure such clearances in advance and to submit them with their proposal.**

STATE OF HAWAII — DEPARTMENT OF TAXATION  
**TAX CLEARANCE APPLICATION**  
PLEASE TYPE OR PRINT CLEARLY

**1. APPLICANT INFORMATION:** (PLEASE PRINT CLEARLY)

Applicant's Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip Code \_\_\_\_\_

DBA/Trade Name \_\_\_\_\_

**2. TAX IDENTIFICATION NUMBER(S):** (Complete applicable ID numbers)

HAWAII GENERAL EXCISE ID # \_\_\_\_\_

FEDERAL EMPLOYER ID # \_\_\_\_\_

(FEIN)

SOCIAL SECURITY #(SSN) \_\_\_\_\_

**3. APPLICANT IS A/AN:** (CHECK ONLY ONE BOX)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> CORPORATION  | <input type="checkbox"/> S CORPORATION                 | <input type="checkbox"/> TAX EXEMPT ORGANIZATION               |
| <input type="checkbox"/> INDIVIDUAL   | <input type="checkbox"/> PARTNERSHIP                   | <input type="checkbox"/> ESTATE <input type="checkbox"/> TRUST |
| <input type="checkbox"/> LIMITED LIABILITY COMPANY  | <input type="checkbox"/> LIMITED LIABILITY PARTNERSHIP |  |
| <input type="checkbox"/> Single Member LLC disregarded as separate from owner; enter owner's FEIN/SSN _____ |  |  |

**4. THE TAX CLEARANCE IS REQUIRED FOR:**

- |   |   |
|---|---|
| <input type="checkbox"/> CITY, COUNTY, OR STATE GOVERNMENT CONTRACT IN HAWAII * | <input type="checkbox"/> LIQUOR LICENSE *   |
| <input type="checkbox"/> REAL ESTATE LICENSE                                    | <input type="checkbox"/> CONTRACTOR LICENSE |
| <input type="checkbox"/> FINANCIAL CLOSING                                      | <input type="checkbox"/> BULK SALES         |
| <input type="checkbox"/> HAWAII STATE RESIDENCY                                 | <input type="checkbox"/> PROGRESS PAYMENT   |
| <input type="checkbox"/> SUBCONTRACT  | <input type="checkbox"/> PERSONAL           |
| <input type="checkbox"/> FEDERAL CONTRACT                                       | <input type="checkbox"/> LOAN               |
| <input type="checkbox"/> OTHER _____  |   |

\* IRS APPROVAL STAMP IS ONLY FOR PURPOSES INDICATED BY ASTERISK.

**5. NO. OF CERTIFIED COPIES REQUESTED:** ☐

**6. SIGNATURE:**

PRINT NAME \_\_\_\_\_

PRINT TITLE: Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, Executor

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

TELEPHONE ( ) \_\_\_\_\_

FAX ( ) \_\_\_\_\_

**POWER OF ATTORNEY.** If submitted by someone other than a Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, or Executor, a power of attorney (State of Hawaii, Department of Taxation, Form N-848) must be submitted with this application. If a Tax Clearance is required from the Internal Revenue Service, IRS Form 8821, or IRS Form 2848 is also required. Applications submitted without proper authorization will be sent to the address of record with the taxing authority. **UNSIGNED APPLICATIONS WILL NOT BE PROCESSED.**

**PLEASE TYPE OR PRINT CLEARLY — THE FRONT PAGE OF THIS APPLICATION BECOMES THE CERTIFICATE UPON APPROVAL.**  
**SEE PAGE 2 ON REVERSE & SEPARATE INSTRUCTIONS.** Failure to provide required information on page 2 of this application or as required in the separate instructions to this application will result in a denial of the Tax Clearance request.

<b>FOR OFFICE USE ONLY</b>
BUSINESS START DATE IN HAWAII IF APPLICABLE / /
HAWAII RETURNS FILED IF APPLICABLE 19 ____ 19 ____ 19 ____
STATE APPROVAL STAMP
*IRS APPROVAL STAMP
CERTIFIED COPY STAMP

APPLICANT'S NAME FROM PAGE 1 \_\_\_\_\_

7. **CITY, COUNTY, OR STATE GOVERNMENT CONTRACT:** ☐ Bid/Entering Into a Contract ☐ Completion/Final Payment  
For completion/final payment of contract, please provide the name and telephone number of the contact person at the State or County Agency.  
Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

8. **LIQUOR LICENSING:** ☐ Initial ☐ Renewal ☐ Transfer-Seller ☐ Transfer-Buyer ☐ Special Event  
9. **CONTRACTOR LICENSING:** ☐ Initial ☐ Renewal  
10. **STATE RESIDENCY:** DATE APPLICANT ARRIVED IN HAWAII \_\_\_\_\_  
11. **ACCOUNTING PERIOD:** ☐ Calendar year ☐ Fiscal year ending \_\_\_\_\_ (MM/DD)

12. **TAX EXEMPT ORGANIZATION:** Provide the Internal Revenue Code Section that applies to your exemption. \_\_\_\_\_

13. **CORPORATION:** Parent's Corporation Name \_\_\_\_\_ FEIN \_\_\_\_\_

14. **INDIVIDUAL:** Spouse's Name \_\_\_\_\_ SSN \_\_\_\_\_

15. **IF YOU DO NOT HAVE A GENERAL EXCISE TAX LICENSE AND REQUIRE A TAX CLEARANCE FOR A GOVERNMENT CONTRACT:**

- A) Has your firm had any business income in Hawaii prior to the Bid? ☐ YES ☐ NO  
B) Does your firm have an office, inventory, property, employees, or other representatives in the State of Hawaii? ☐ YES ☐ NO  
C) Has your firm provided any services within the State of Hawaii? ☐ YES ☐ NO

16. **FILING THE APPLICATION FOR TAX CLEARANCE:**

Mail or fax the completed application to the Department of Taxation office which issued your General Excise License Number. Applications which require an Internal Revenue Service Tax Clearance will be forwarded to the Internal Revenue Service after processing is completed by the Department of Taxation. Allow up to 10 to 15 business days for processing between the Department of Taxation and the Internal Revenue Service. Completed applications may also be submitted in person at any of the district offices listed below:

State Dept. of Taxation  
OAHU DISTRICT OFFICE  
P.O. BOX 259  
HONOLULU, HI 96809-0259  
TELEPHONE NO. (808) 587-4242  
TOLL FREE 1-800-222-3229  
FAX NO. (808) 587-1488  
  
COLLECTION BRANCH  
FAX NO. (808) 587-1720  
or  
830 PUNCHBOWL STREET  
HONOLULU, HI 96813-5094

State Dept. of Taxation  
MAUI DISTRICT OFFICE  
P.O. BOX 1189  
WAILUKU, HI 96793-6169  
TELEPHONE NO. (808) 984-8500  
FAX NO. (808) 984-8522  
or  
54 S. HIGH STREET, #208  
WAILUKU, HI 96793-2198

State Dept. of Taxation  
HAWAII DISTRICT OFFICE  
P.O. BOX 833  
HILO, HI 96721-0833  
TELEPHONE NO. (808) 974-6321  
FAX NO. (808) 974-6300  
or  
75 AUPUNI STREET, #101  
HILO, HI 96720-4245

State Dept. of Taxation  
KAUAI DISTRICT OFFICE  
3060 IWA STREET, RM. 105  
LIHUE, HI 96766-1889  
TELEPHONE NO. (808) 274-3456  
FAX NO. (808) 274-3461

Internal Revenue Service  
WAGE & INVESTMENT DIVISION  
- TC M/S H214  
FIELD ASSISTANCE GROUP 174  
300 ALA MOANA BLVD., #50089  
HONOLULU, HI 96850  
TELEPHONE NO. (808) 539-1555  
FAX (808) 539-1573  
or  
TAXPAYER ASSISTANCE CENTER  
HONOLULU  
300 ALA MOANA BLVD., RM. 1-126

Applications are available at Department of Taxation and IRS offices in Hawaii, and may also be requested by calling the Department of Taxation's Forms By Fax/Mail line on Oahu at (808) 587-7572 or toll-free at 1-800-222-7572. The Tax Clearance Application, Form A-6, can be downloaded from the Department of Taxation's website ([www.state.hi.us/tax](http://www.state.hi.us/tax)).

----- FOR OFFICE USE ONLY -----

TYPE OF TAX	TAX RETURNS FILED STATUS	Clerk's Initials	ITEMS RECEIVED
INCOME			
GENERAL EXCISE/USE			
HAWAII WITHHOLDING			
TRANSIENT ACCOMMODATIONS			
RENTAL MOTOR /TOUR VEHICLE			
UNEMPLOYMENT INSURANCE			
OTHER TAXES			

**SECTION 309(a)(3) OF THE TARIFF ACT OF 1930**

EXHIBIT B

regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction of all cattle, sheep, and other ruminants, and swine, and of all meats, offered for entry and refused admission into the United States, unless such cattle, sheep, ruminants, swine, or meats be exported by the consignee within the time fixed therefor in such rules and regulations.

**Sec. 307. Convict-Made Goods—Importation Prohibited.**

All goods, wares, articles, and merchandise mined, produced or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanction shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision. The provisions of this section relating to goods, wares, articles, and merchandise mined, produced, or manufactured by forced labor or/and indentured labor, shall take effect on January 1, 1932; but in no case shall such provisions be applicable to goods, wares, articles or merchandise so mined, produced, or manufactured which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States.

"Forced labor," as herein used, shall mean all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily.

*Sec. 308. [Repealed. (Temporary Free Importation Under Bond for Exportation—see schedule 8, part 5C of the Tariff Schedules of the United States).]*

**Sec. 309. Supplies for Certain Vessels and Aircraft.**

(a) *Exemption from Duties and Taxes.* Articles of foreign or domestic origin may be withdrawn, under such regulations as the Secretary of the Treasury may prescribe, from any customs bonded warehouse, from continuous customs custody elsewhere than in a bonded warehouse, or from a foreign-trade zone free of duty and internal-revenue tax, or from any internal-revenue bonded warehouse, from any brewery, or from any winery premises or bonded premises for the storage of wine, free of internal-revenue tax—

(1) for supplies (not including equipment) of (A) vessel or aircraft operated by the United States, (B) vessels of the United States employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the Atlantic and Pacific ports of the United States or between the United States and any of its possessions, or between Hawaii and any other part of the United States or between Alaska and any other part of the United States, or (C) aircraft registered in the United States and actually engaged in foreign trade or trade between the United States and any of its possessions or between Hawaii and any other part of the United States or between Alaska and any other part of the United States; or

(2) for supplies (including equipment) or repair of (A) vessels of war of any foreign nation, or (B) foreign vessels employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the United States and any of its possessions, or between Hawaii and any other part of the United States or between Alaska and any other part of the United States, where such trade by foreign vessels is permitted; or

(3) for supplies (including equipment), ground equipment, maintenances, or repair of aircraft registered in any foreign country and actually engaged in foreign trade or trade between the United States and any of its possessions, or between Hawaii and any other part of the United States or between Alaska and any other part of the United States, where trade by foreign aircraft is permitted. With respect to articles for ground equipment, the exemption hereunder shall apply only to duties and to taxes imposed upon or by reason of importation.

The provisions for free withdrawals made by this subsection shall not apply to petroleum products for vessels or aircraft in voyages or flights exclusively between Hawaii or Alaska and any airport or Pacific coast seaport of the United States.

(b) *Drawback.* Articles withdrawn from bonded warehouses, bonded manufacturing warehouses, continuous customs custody elsewhere than in a bonded warehouse, or from a foreign-trade zone, imported articles, and articles of domestic manufacture or production, laden as supplies upon any such vessel or aircraft of the United States or laden as supplies (including equipment) upon, or used in the maintenance or repair of, any such foreign vessel or aircraft, shall be considered to be exported within the meaning of the drawback provisions of this Act.

(c) *Articles Removed In, Or Returned To, The United States.* Any article exempted from duty or tax, or in respect of which drawback has been allowed

under this section or section 317 of this Act and thereafter removed in the United States from any vessel or aircraft, or otherwise returned to the United States, shall be treated as an importation from a foreign country.

(d) *Reciprocal Privileges.* The privileges granted by this section and section 317 of this Act in respect to aircraft registered in a foreign country shall be allowed only if the Secretary of the Treasury shall have been advised by the Secretary of Commerce that he has found that such foreign country allows, or will allow, substantially reciprocal privileges in respect of aircraft registered in the United States. If the Secretary of Commerce shall advise the Secretary of the Treasury that he has found that a foreign country has discontinued, or will discontinue, the allowance of such privileges, the privileges granted by this section and such section 317 of this Act shall not apply thereafter in respect of aircraft registered in that foreign country.

**Sec. 310. Free Importation of Merchandise Recovered From Sunken and Abandoned Vessels.**

Whenever any vessel laden with merchandise, in whole or in part subject to duty, has been sunk in any river, harbor, bay, or waters subject to jurisdiction of the United States, and within its limits, for the period of two years and is abandoned by the owner thereof, any person who may raise such vessel shall be permitted to bring any merchandise recovered therefrom into the port nearest to the place where such vessel was so raised free from the payment of any duty thereupon, but under such regulations as the Secretary of the Treasury may prescribe.

**Sec. 311. Bonded Manufacturing Warehouses.**

All articles manufactured in whole or in part of imported materials or of materials subject to internal-revenue tax, and intended for exportation without being charged with duty, and without having an internal-revenue stamp affixed thereto, shall, under such regulations as the Secretary of the Treasury may prescribe, in order to be so manufactured and exported, be made and manufactured in bonded warehouses similar to those known and designated in Treasury Regulations as bonded warehouses, class six: *Provided*, That the manufacturer of such articles shall first give satisfactory bonds for the faithful observance of all the provisions of law and of such regulations as shall be prescribed by the Secretary of the Treasury: *Provided further*, That the manufacture of distilled spirits from grain, starch, molasses, or sugar, including all dilutions or mixtures of them or either of them, shall not be permitted in such manufacturing warehouses.

Whenever goods manufactured in any bonded warehouse established under the provisions of the preceding paragraph shall be exported directly therefrom or shall be duly laden for transportation and immediate exportation under the supervision of the proper officer who shall be duly designated for that purpose, such goods shall be exempt from duty and from the requirements relating to revenue stamps.

No flour, manufactured in a bonded manufacturing warehouse from wheat imported after ninety days after the date of the enactment of this Act, shall be withdrawn from such warehouse for exportation without payment of a duty on such imported wheat equal to any reduction in duty which by treaty will apply in respect of such flour in the country to which it is to be exported.

Any materials used in the manufacture of such goods, and any packages, covering, vessels, brands, and labels used in putting up the same may, under the regulations of the Secretary of the Treasury, be conveyed without the payment of revenue tax or duty, into any bonded manufacturing warehouse, and imported goods may, under the aforesaid regulations, be transferred without the exaction of duty from any bonded warehouse into any bonded manufacturing warehouse; but this privilege shall not be held to apply to implements, machinery, or apparatus to be used in the construction or repair of any bonded manufacturing warehouse or for the prosecution of the business carried on therein.

Articles or materials received into such bonded manufacturing warehouse or articles manufactured therefrom may be withdrawn or removed therefrom for direct shipment and exportation or for transportation and immediate exportation in bond to foreign countries or to the Philippine Islands under the supervision of the officer duly designated therefor by the appropriate customs officer of the port, who shall certify to such shipment and exportation, or lading for transportation, as the case may be, describing the articles by their mark or otherwise, the quantity, the date of exportation, and the name of the vessel: *Provided*, That the by-products incident to the processes of manufacture, including waste derived from cleaning rice in bonded warehouses under the Act of March 24, 1874 (ch. 65, 18 Stat. 24), in said bonded warehouses may be

\* AMENDMENTS OF SECTION 311 OF THE TARIFF ACT OF 1930. The following so

(a) Certain Transfers to Warehouses Pending Exportation. In the case of articles described by section 307(a)(50) of the Distilled Spirits Tax Revision Act of 1979, the first sentence of applied as if such first sentence did not include the phrase "at an exterior port".

## ATTACHMENT A

### DBEDT GENERAL TERMS AND CONDITIONS

Attached DBEDT General Terms and Conditions (April 15, 1996)